

REMARKS

At the outset, applicant notes that when a reference is offered as anticipating, the Patent Office is stating that the claimed invention is completely shown and taught by the reference. One of ordinary skill in the art should be able to look at the reference and look at the claimed invention, and conclude that they are the same. In the present case, this is not so. The allegedly anticipating reference is not at all close to the claimed invention, and applicant respectfully requests that these rejections be reconsidered and withdrawn.

The independent claims are claims 1, 5, 12 and 17. In their preambles, they recite "a cellular telephone", "a telephone", "a method of placing a telephone call from a telephone", and "a cellular telephone", respectively. The reference describes a telephone control switch, such as a device that is part of a central office of a public switched telephone network. Although it is true that a switch and a phone are both related to telephony, a switch is not the same as a phone.

The cellular telephone of claim 1 is recited as having "a memory adapted to store a telephone number associated with an incoming call" and "a transmitter adapted to transmit the telephone number to another telephone". The Office Action points to column 2, lines 1-6 of the reference as anticipating the claimed memory of the cellular telephone. Putting these lines in context, the reference states:

In summary, the present invention is directed to an ***intelligent telephone control system*** which is connected to a telephone exchange and wherein each user of the system is assigned a unique telephone number with ***the control system routing calls*** to the user where they may be located. ***The control system comprises*** an input/output device which is adapted for connection to the telephone exchange trunks or lines to input and output telephone calls. A switching control means controllably connects a call from one line to a different line. Provided ***memory controllably stores and***

recalls electronic signals. An electronic ***processing means is provided for accessing the memory***, switching control means and input/output device to direct the flow of input and output calls.

Thus, the allegedly anticipating reference is a switch-based system that routes telephone calls according to a user-following protocol. Somehow, this is relied upon to teach a cellular telephone that receives a call and transmits the telephone number associated with the received call to another telephone. There is no relationship between the reference and the claimed invention, other than the fact that both use memory. Applicant will stipulate that memory is known, and that many devices use memory to achieve a multitude of functions. The claimed invention, however, describes what you do with the information stored in the memory, and this is completely lacking in the allegedly anticipatory reference. The cellular telephone recited in claim 17 similarly includes "means for storing" and "means for transmitting", which, of course, are also not taught by the reference.

Claims 5 and 12 approach the invention from a different angle, addressing the telephone that receives the telephone number and then places an outgoing call (claims 2 and 18, which depend from claims 1 and 17, respectively, also recite these limitations, but in the context of a single telephone that includes both the inventive aspects of claims 1 and 17, as well as the inventive aspects of claims 2 and 18). Again, the Office Action is off base. For the recited receiver, the Office action points to column 2, lines 21-24, which state:

In accordance with one feature of the invention, ***the control system may forward incoming calls*** for a subscriber to a telephone number that has been preselected by the subscriber.

The invention recites a telephone that receives a telephone number from another telephone, and then places a call to that number. The "anticipating" reference



teaches a control system that forwards incoming calls. These are not close to being the same. These rejections should be withdrawn.

Claims 4 and 16 are rejected as obvious over the '164 patent. Claim 4 recites that the "personal area network transmitter" recited in claim 3 is a Bluetooth transmitter, and claim 16 recites that the "personal area network" of claim 15 is a Bluetooth network. These claims, of course, are patentable for the reasons that claims 1 and 12 are patentable, as discussed above. Further, applicant notes that the fact that the reference describes providing "personalized telephone services for subscribers" (column 7, lines 1-2) has absolutely nothing to do with "personal area networks" as recited in claims 3 and 15. Thus, there is no teaching of these claims in the broadest sense (i.e., as recited in claims 3 and 15) and the official notice regarding the specific personal area network of Bluetooth is thus irrelevant. Applicant respectfully requests reconsideration and withdrawal.

Based on the foregoing, claims 1-20 are believed to be in condition for allowance, and an early notice of allowance is earnestly solicited.

Respectfully submitted,

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